

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

KRISTEN SLUYSKI, individually
and
on behalf of all others similarly
situated,

Plaintiff,

v.

AMERICAN GENERAL LIFE
INSURANCE COMPANY,

Defendant.

Civil Action No. 18-10411-PBS

PLAINTIFF'S STATEMENT REGARDING F.R.C.P. 23

Plaintiff Kristen Sluyski ("Sluyski") hereby avers the following:

Rule 23 regulates the prerequisite requirements for an action regarding class actions.

- 1) One or more of the members of the potential class may sue as representative(s) of the class if a) the class is so numerous that joinder of all member is impracticable. b) There are questions of law or fact common to all members. c) The claims or defenses of the representative parties are typical of the claims or defenses of the class. d) The representatives of the class will fairly and adequately protect the interests of the class.

In the instant case the number of Plaintiffs cannot be determined at the initial stage of litigation without the advantage of discovery but per the affidavit of Woodrow E. Thatcher of AGLI the potential plaintiffs could well be over 100. (See attached declaration)

The only question of law or fact is 'if AGLI paid death claims after 30 days of death and did not pay required interest per Mass General Laws, Chapter 175 Sec. 119C. This determination should be ascertainable by a simple review of the record of payments that AGLI has in its possession.

The claims of the class representative are not just similar to other plaintiffs but are 'identical', no need for extensive investigation to determine if a plaintiff fits into the class. The plaintiff either received interest payments or they did not.

The last element of the requirement of Rule 23 is that the representative will adequately represent the class. This requirement is most often evaluated with the third element of the requirements of Rule 23. Again in the instant case the damage is the payment of interest on the death claim after 30 days of death.

Respectfully submitted,

Kristen Sluyski ,

By her attorney,

/s/ Mark B Ryan

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CERTIFICATE OF SERVICE

I, Mark B Ryan, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

Dated: June 25, 2018

/s/ Mark B Ryan

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**DECLARATION OF WOODROW E. THATCHER IN SUPPORT OF NOTICE OF
REMOVAL**

I, Woodrow E. Thatcher declare the following:

1. I have personal knowledge of the facts set forth in this declaration, or I have knowledge of such facts based on my review and knowledge of the business records of Defendant American General Life Insurance Company ("AGLI"), and could testify to the same if called as a witness in this matter. I make this Declaration in support of AGLI's Notice of Removal of this action.

2. I am currently the Vice President of Life and A & H Operations for AGLI. In this capacity, and as part of my job responsibilities, I am familiar with AGLI's operations, and have access to its corporate books and records as well as financial and claims information.

3. My review of AGLI's internal data confirms that, during the period from April 1, 2013 to the present, AGLI has paid out death benefit payments to thousands of named beneficiaries in the United States.

I hereby declare under penalty of perjury of the laws of the United States that the foregoing statements are, to the best of my knowledge and belief, true and accurate.

Executed this 1st day of March, 2018 in Houston, Texas.



Woodrow E. Thatcher